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6	UNITED STATES DISTRICT COURT
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8	NORTHERN DISTRICT OF CALIFORNIA
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10	UNITED STATES OF AMERICA,
11	Plaintiff, No. CR 16-0440 WHA
12	v.
13	YEVGENIY ALEKSANDROVICH SPECIAL VERDICT FORM
14	NIKULIN, Defendant.
15	——————————————————————————————————————
16	
17	YOU MAY APPROACH THE FOLLOWING QUESTIONS IN ANY ORDER YOU
18	WISH, BUT YOUR ANSWERS MUST BE UNANIMOUS.
19	
20	1. Has the government proven beyond a reasonable doubt that defendant Yevgeniy
21	Nikulin is guilty of Computer Intrusion, in violation of Title 18, United States Code,
22	Section 1030(a)(2) as charged in Count One of the indictment? That is, on
23	approximately March 3, 2012, and continuing to approximately March 4, 2012, in the
24	Northern District of California and elsewhere, the defendant used the Internet to access
25	computers belonging to LinkedIn Corporation and obtained information.
26	
27	Yes, Guilty No, Not Guilty
28	

1	a. If you found the defendant guilty as to Count One, do you also find beyond a
2	reasonable doubt that the offense was committed for purposes of commercial
3	advantage or private financial gain?
4	
5	Yes No
6	
7	b. If you found the defendant guilty as to Count One, do you also find beyond a
8	reasonable doubt that the value of the information obtained exceeded \$5,000?
9	
10	Yes No
11	
12	2. Has the government proven beyond a reasonable doubt that defendant Yevgeniy
13	Nikulin is guilty of Intentional Transmission Causing Damage to a Protected Computer,
14	in violation of Title 18, United States Code, Section 1030(a)(5)(A) as charged in Count
15	Two of the indictment? That is, starting on or about March 3, 2012, and continuing
16	through on or about March 4, 2012, in the Northern District of California and
17	elsewhere, the defendant knowingly transmitted a program, information, or code, or
18	command to a computer belonging to LinkedIn Corporation employee N.B.
19	
20	Yes, Guilty No, Not Guilty
21	
22	a. If you found the defendant guilty as to Count Two, do you also find beyond a
23	reasonable doubt that the offense caused loss to one or more persons during any
24	one-year period aggregating at least \$5,000 in value?
25	
26	Yes No
27	

3.	Has the government proven beyond a reasonable doubt that defendant Yevgeniy
	Nikulin is guilty of Aggravated Identity Theft, in violation of Title 18, United States
	Code, Section 1028A as charged in Count Three of the indictment? That is, beginning
	on approximately March 3, 2012, and continuing to approximately March 4, 2012, in
	the Northern District of California and elsewhere, the defendant possessed and used the
	username and password assigned to LinkedIn Corporation employee N.B.
	Yes, Guilty No, Not Guilty
4.	Has the government proven beyond a reasonable doubt that defendant Yevgeniy
	Nikulin is guilty of Computer Intrusion, in violation of Title 18, United States Code,
	Section 1030(a)(2) as charged in Count Four of the indictment? That is, beginning on
	approximately May 14, 2012, and continuing to approximately July 25, 2012, in the
	Northern District of California and elsewhere, the defendant used the Internet to access
	computers belonging to Dropbox Inc. and obtained information.
	Yes, Guilty No, Not Guilty
	a. If you found the defendant guilty as to Count Four, do you also find beyond a
	reasonable doubt that the offense was committed for purposes of commercial
	advantage or private financial gain?
	Yes No
	b. If you found the defendant guilty as to Count Four, do you also find beyond a
	reasonable doubt that the value of the information obtained exceeded \$5,000?
	Yes No

1	5.	Has the government proven beyond a reasonable doubt that defendant Yevgeniy
2		Nikulin is guilty of Conspiracy, in violation of Title 18, United States Code, Section
3		371 as charged in Count Five of the indictment? That is, beginning on a date unknown
4		and continuing to on or about May 31, 2012, in the Northern District of California and
5		elsewhere, the defendant conspired to knowingly and with intent to defraud, traffic in
6		unauthorized access devices, that is, usernames, email addresses, and passwords
7		belonging to customers of Formspring Inc.
8		
9		Yes, Guilty No, Not Guilty
10		
11	6.	Has the government proven beyond a reasonable doubt that defendant Yevgeniy
12		Nikulin is guilty of Trafficking in Unauthorized Access Devices, in violation of Title
13		18, United States Code, Section 1029(a)(2) as charged in Count Six of the indictment?
14		That is, beginning on a date unknown and continuing to approximately September 19,
15		2012, in the Northern District of California and elsewhere, the defendant knowingly
16		and with intent to defraud, trafficked in unauthorized access devices, that is, usernames,
17		email addresses, and passwords belonging to customers of Formspring Inc.
18		
19		Yes, Guilty No, Not Guilty
20		
21	7.	Has the government proven beyond a reasonable doubt that defendant Yevgeniy
22		Nikulin is guilty of Computer Intrusion in violation of Title 18, United States Code,
23		Section 1030(a)(2) as charged in Count Seven of the indictment? That is, beginning on
24		approximately June 13, 2012, and continuing to approximately June 29, 2012, in the
25		Northern District of California and elsewhere, the defendant used the Internet to access
26		computers belonging to Formspring Inc. and obtained information.
27		
28		Yes, Guilty No, Not Guilty

1	a. If you found the defendant guilty as to Count Seven, do you also find beyond a
2	reasonable doubt that the offense was committed for purposes of commercial
3	advantage or private financial gain?
4	
5	Yes No
6	
7	b. If you found the defendant guilty as to Count Seven, do you also find beyond a
8	reasonable doubt that the value of the information obtained exceeded \$5,000?
9	
10	Yes No
11	
12	8. Has the government proven beyond a reasonable doubt that defendant Yevgeniy
13	Nikulin is guilty of Intentional Transmission Causing Damage to a Protected Computer,
14	in violation of Title 18, United States Code, Section 1030(a)(5)(A) as charged in Count
15	Eight of the indictment? That is, starting on or about June 13, 2012, and continuing
16	through on or about June 29, 2012, in the Northern District of California and elsewhere,
17	the defendant knowingly transmitted a program, information, code, or command to a
18	computer belonging to Formspring Inc.
19	
20	Yes, Guilty No, Not Guilty
21	
22	a. If you found the defendant guilty as to Count Eight, do you also find beyond a
23	reasonable doubt that the offense caused loss to one or more persons during any
24	one-year period aggregating at least \$5,000 in value?
25	
26	Yes No
27	

1	9. Has the government proven beyond a reasonable doubt that defendant Yevgeniy
2	Nikulin is guilty of Aggravated Identity Theft, in violation of Title 18, United States
3	Code, Section 1028A as charged in Count Nine of the indictment? That is, beginning
4	on approximately June 13, 2012, and continuing to approximately June 29, 2012, in the
5	Northern District of California and elsewhere, the defendant possessed and used the
6	username and password assigned to Formspring Inc. employee J.S.
7	
8	Yes, Guilty No, Not Guilty
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11	* * *
12	
13	When this form is completed, the jury foreperson should date and sign it and advise the
14	Court that you have reached a verdict.
15	
16	Dated:
17	
18	FOREPERSON
19	POREPERSON
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